

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

*Plaintiff,*

v.

JAMES G. TEMME and  
STEWARDSHIP FUND, LP,

*Defendants.*

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CIVIL ACTION NO. 4:11cv655  
(Judge Clark/Judge Mazzant)

ORDER GRANTING RECEIVER’S FIRST INTERIM APPLICATION TO ALLOW AND  
PAY (1) RECEIVER’S FEES AND EXPENSES; AND (2) ATTORNEYS’ FEES AND  
EXPENSES

Before the Court is the Receiver’s First Interim Application to Allow and Pay (1) Receiver’s Fees and Expenses; and (2) Attorneys’ Fees and Expenses (the “Application”) [Doc. #154], which requests reimbursement for fees incurred for the time period from October 28, 2011, through February 28, 2012. The Receiver seeks to pay Bryan Cave LLP (“BC”) \$46,994.05, representing \$45,175.25 in interim fees (50% of \$90,350.50 in fees) and \$1,818.80 in interim expenses (50% of \$3,637.59 in expenses), with the balance of all such fees and expenses to be paid to BC immediately upon receipt of the MCS Settlement Payment (as defined in the Application).

No opposition has been filed to this Application. Counsel for the Commission has reviewed the fee application and been afforded the opportunity to object, but does not object to the relief sought. Based upon a review of the Application and the pleadings on file, the Court finds and concludes that (a) the relief requested in the Application is in the best interests of the Receiver and his receivership estates; (b) proper and adequate notice of the Application has been

given and that no other or further notice is necessary; and (c) good and sufficient cause exists for the granting of the relief requested in the Application after having given due deliberation upon the Application and all of the proceedings had before the Court in connection with the Application. Therefore, it is hereby ORDERED that:

- i. The Application is GRANTED.
- ii. The Court approves, on an interim basis, the fees (\$90,350.50) and expenses (\$3,637.59) incurred by the Receiver from October 28, 2011 through February 28, 2012.
- iii. The Receiver is authorized to immediately pay BC the total sum of \$46,994.05, representing \$45,175.25 in interim fees (50% of \$90,350.50 in fees) and \$1,818.80 in interim expenses (50% of \$3,637.59 in expenses) for the time period from October 28, 2011 through February 28, 2012.
- iv. Immediately upon receipt of the MCS Settlement Payment, the Receiver is authorized to pay to BC, without further order of the Court, the sum of \$46,994.04, constituting the balance of the fees and expenses approved above, with such amounts equaling \$45,175.25 in fees and \$1,818.79 in expenses. If the settlement with MCS is not approved, the balance can be distributed after further application and order of this Court.

So **ORDERED** and **SIGNED** this **10** day of **December, 2012**.



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Ron Clark, United States District Judge